

99046018000000

Testament

Heruntergeladen am 29.06.2025

<https://fimportal.de/xzufi-services/S1000030000701462/S100003>

Modul	Sachverhalt
Leistungsschlüssel	99046018000000
Leistungsbezeichnung I	Testament
Leistungsbezeichnung II	Probate - will opening after the occurrence of the succession
Typisierung	2/3 - Bund: Regelung (2 oder 3), Land/Kommune: Vollzug
Quellredaktion	Bremen
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	Urkunden und Bescheinigungen (1070200), Erbschaft, Nachlass und Testament (1190200)
Einheitlicher	

Modul	Sachverhalt
Ansprechpartner	
Fachlich freigegeben am	29.02.2024
Fachlich freigegeben durch	
Handlungsgrundlage	https://dejure.org/gesetze/BGB/2259.html https://dejure.org/gesetze/FamFG/348.html
Teaser	After the death of the testator, the probate court must formally open all dispositions of death (including revoked or ineffective ones) ex officio (wills and inheritance contracts).
Volltext	<p>Anyone who is in possession of a testamentary disposition (will / inheritance contract) is obliged to deliver it in original to the probate court for the purpose of its opening. This may also be a court in the place of residence/near the place of residence of the person who is in possession of the disposition of death. Failure to deliver shall constitute a criminal offense. Delivery must be made immediately after knowledge of the testator's death, i.e. without culpable delay. Inequities are to be accepted for this. The testamentary dispositions that are in special official custody do not require a separate copy to be delivered. It is not necessary to make copies after submission to the probate court.</p>
Erforderliche Unterlagen	<ul style="list-style-type: none"> • Last Will and Testament Any wills or contracts of inheritance found in the estate or kept for the deceased must be submitted in the original for opening immediately after the death has come to our knowledge. • Death certificate If available, please also submit an original death certificate . • Request for opening The procedure will be accelerated if a completed request for opening is submitted to . Such an application can be obtained via the homepage of the Bremen District Court or in room 13 of the Bremen District Court.
Voraussetzungen	As soon as the probate court becomes aware of the death of a testator, it must open the existing wills / inheritance contracts.

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Kosten	<p>Gebühr: 100€</p> <p>for the opening of a death warrant. If openings are made at different local courts or if further dispositions on account of death occur later, the fee is charged for each opening (opening protocol). The heir(s) is/are liable to pay the costs of these proceedings.</p>
Verfahrensablauf	<p>The competent probate court is the local court at the last habitual residence of the deceased. This is not necessarily the last residence under civil law, but the place where the deceased last had his or her center of life.</p> <p>If a disposition of property upon death is already in the special official custody of another local court or if a disposition of property upon death that has been found is handed over there, the latter is only responsible for the opening and subsequently forwards the disposition of property upon death to the competent probate court.</p> <p>The opening takes place without the presence of the parties involved. If necessary, you will be requested by the probate court to provide further information, insofar as this is possible for you. This concerns in particular details of the persons named in the disposition of property upon death, the legal heirs and the existence of real estate and/or companies entered in the commercial register.</p> <p>The parties involved will then be informed of the content of the opened disposition(s) of death concerning them by sending certified photocopies. The originals remain in the probate file or, if necessary, are taken back into special official custody.</p> <p>No examination of the content or legal assessment is carried out in the opening procedure. To clarify any doubts, please contact a member of the legal profession (lawyer or notary).</p>
Bearbeitungsdauer	
Frist	

Modul	Sachverhalt
weiterführende Informationen	
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	https://buergerservice-master.calypso.bremen.de/sixcms/media.php/5/Er%C3%B6ffnungsantrag.pdf https://buergerservice-master.calypso.bremen.de/sixcms/media.php/5/Er%C3%B6ffnungsantrag.621806.pdf
Ursprungsportal	Serviceportal der Freien Hansestadt Bremen, Service portal of the Free Hanseatic City of Bremen